

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JUSTIN FORD,
Defendant.

ORDER
AND
MEMORANDUM DECISION

Case No. 2:06-CR-833-TC

On October 4, 2007, federal prisoner Justin Ford was sentenced to 120 months of incarceration (followed by 60 months of supervised release) after he pleaded guilty to one count of possession with intent to distribute 50 grams or more of a mixture or substance containing cocaine base, in violation of 21 U.S.C. § 841(a)(1). The offense is subject to a minimum mandatory sentence of 120 months. See 21 U.S.C. § 841(b)(1)(A)(iii).

In April of this year, Mr. Ford filed a *pro se* motion for reduction of his sentence based on the recent amendment to the sentencing guideline concerning crack cocaine offenses. That guideline, U.S.S.G. § 1B1.10, allows for retroactive reduction of a term of imprisonment for a prisoner who was convicted of a crack cocaine (cocaine base) offense.

Because Mr. Ford received the statutory minimum mandatory ten-year sentence, the court

finds that he is not eligible for a sentence reduction. Accordingly, his motion (Dkt # 116) is DENIED.

DATED this 9th day of June, 2008.

BY THE COURT:

A handwritten signature in black ink, reading "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge